

### REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested. Claims 1-25 are pending, Claims 1, 4, 6, 9-11, 13, 15-17, 19, 21-22 and 24 having been amended by way of the present amendment.

In the outstanding Office Action, Claims 1-25 were rejected as being unpatentable over Kato et al. (U.S. Patent No. 6,301,663), in view of Chou (U. S. Patent No. 6,167,136).

Applicants appreciatively acknowledge that the present Office Action was not made final.

In order to clarify the presently claimed invention, the independent claims have been amended. For example, Claim 1 is directed to a data recording method for recording digital data to a recording medium, comprising various steps, including a newly added step of obtaining a recording medium ID associated with the recording medium (specification refers to a disc ID (e.g., page 9, first full paragraph)). The method also includes a step of generating independent write identification information for each recording operation of the digital data. There is also a step of including data identification information of the digital data and data control information by use of the write identification information, and encrypting the write identification information by use of the recording medium ID (support for this amendment being found throughout the specification, for example top of page 13, referring to the “f () encryption processing”, and therefore no new matter is added). Finally, the method includes the step of recording at least the encrypted data identification information and the data control information to the recording medium.

Kato was discussed in depth in the response filed December 22, 2004, which is incorporated herein by reference. The present rejection asserts Chou as a secondary reference, for the assertion of an owner-designation field for the claimed control information. However, even if this is the case, no combination of Kato in view of Chou would correspond

to amended Claim 1, because amended Claim 1 requires obtaining the recording medium ID and the encrypting of the write identification information by use of the recording medium ID. Accordingly, no matter how Kato and Chou are combined, the combination would not teach or suggest all the elements of amended Claim 1, and therefore would not render obvious the invention of amended Claim 1.

Although of differing scope and/or statutory class, it is respectfully submitted that each of the other pending Claims 2-25, as amended, also patentably define over Kato in view of Chou for substantially the same reasons as discussed above with regard to amended Claim 1.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-25, as amended, is patentably distinguishing over the prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

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